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PART IX - PROJECTS

9.3 Contracts

a. Policy. Contractual relationships involving the continuing use of individuals and/or legal entities in support of covert activities shall be defined in writing, to provide adequate records of commitments and obligations of the Agency and essential continuing review in terms of operational and security policies and fiscal and legal requirements.

b. Contracting Authority

(1) In the United States

(a) The Chief, Special Support Staff and his Special Contracting Officer are authorized to execute agreements and contracts on behalf of the United States of America, and to amend and terminate such agreements and contracts, with the prior concurrence of an authorized official of appropriate Offices and Staff Sections, in the following instances:

1. With individuals, including Career Agents and other agents who are subjects of authorized projects, for the procurement of information or services of a confidential nature.

2. With legal entities, including those involved with proprietary activities

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authorized by Section 3.4 below, for services and facilities essential to support of authorized covert operations.

(2) Outside the United States

(a) The Chief of a field station or independent mission is authorized to execute, amend, or terminate contracts, letters of appointment, or other agreements with individuals or legal entities for the procurement of information, personal services and facilities essential to support of covert operations, subject to the provisions of (b)(c)(d) and (e) below.

(b) Appropriate Assistant Directors and Staff Chiefs may limit the exercise by subordinates of the authority granted in (a) above to any extent deemed desirable by them.

(c) Prior approval of the designated appointive authority in Washington will be obtained for the appointment of Agency employees.

(d) Exercise of authority granted in (a) above shall be consistent with operational directives and authorized projects.

(e) Copies of all instruments executed under authority granted in (a) above, and statements in adequate detail covering verbal agreements, shall be

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authenticated by the station or independent mission chief and forwarded without delay through prescribed operational channels to the appropriate operational official in Washington for the information and record of the Chief, Special Support Staff. The operational official in Washington is authorized to delete details of identity and substitute pseudonyms or cryptonyms of formal record if considered essential from a security standpoint, prior to delivery to the Chief, Special Support Staff.

c. Definitions.

(1) A Career Agent is a contractual employee qualified to perform major operational duties abroad for an extended period under durable cover.

(2) An Agent is an individual under cover who is wittingly or unwittingly used by a covert office under suitable controls and includes principal agents, couriers, letter drops, and other persons performing covert services.

d. Limitations. Nothing in this regulation will be construed to supersede or rescind the contractual authorities separately authorized in Parts V and VIII of Confidential Funds Regulations relative to personnel actions and supplies and equipment.

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